

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

By way of the foregoing, the subject matter of Claim 1 has been incorporated into Claim 2, and Claim 1 has been canceled. Also, adopting the Examiner's helpful suggestions, the phrase "an link mechanism" has been changed to --a link mechanism-- and the phrase "wherein each lever members" has been changed to --wherein each of the lever members--. Accordingly, withdrawal of the claim objections is respectfully requested.

Minor wording changes have been incorporated into Claim 4 to improve the readability of the claim.

Page two of the Official Action sets forth a double patenting rejection of Claim 1 under 35 U.S.C. § 101. This rejection is based on the observation that Claim 1 as originally filed in this application recites the same invention defined in Claims 1, 3 and 6 of copending application Serial No. 09/809,068. However, the subject matter defined in original Claim 1 of this application is not the same as the subject matter defined in Claims 1, 3 and 6 of the copending application. Thus, because there is no identity of claimed subject matter between original Claim 1 here and Claims 1, 3 and 6 of the copending application, withdrawal of the double patenting rejection under 35 U.S.C. § 101 is respectfully requested.

The only other issue raised in the Official Action involves the rejection of original Claims 1-4 on the basis of the disclosure contained in U.S. Patent No. 5,649,726 to

Rogers, Jr. et al. Reconsideration of that rejection is respectfully requested for at least the following reasons.

As mentioned above, the subject matter of Claim 1 has been incorporated into Claim 2. The Official Action addressed the subject matter of original Claim 2 by noting that *Rogers, Jr. et al.* discloses a main body 12 having two dish-shaped casing portions oriented perpendicular to one another. One of the dish-shaped casing portions is said to be closed by a first cover 92, 394 while the other dish-shaped casing portion is covered by a second cover 220. However, element 220 in *Rogers, Jr. et al.* is not a cover that covers a dish-shaped portion of a main body forming part of a housing. Rather, element 220 is the vehicle door to which the frame member 26 of the disclosed door closure latch is fixed.

Claim 2 differs from the disclosure contained in *Rogers, Jr. et al.* at least insofar as *Rogers, Jr. et al.* does not disclose the combination of a housing, a latch mechanism and a link mechanism, with the housing having a configuration as claimed. Claim 2 recites that the housing is comprised of a main body having perpendicularly oriented first and second casing portions whose open ends are covered by respective covers to form spaces between the casing portions and the respective covers, and also defines the positioning of the lever members of the link mechanism relative to the first and second casing portions. The vehicle door closure latch described in *Rogers, Jr. et al.* includes a housing 12 having opposite sides provided with recessed areas covered by a frame 26 and a back plate 92 respectively. This arrangement is best seen in Fig. 6 of *Rogers, Jr. et al.* However, the recessed areas of the housing 12 disclosed in *Rogers, Jr. et al.* are not perpendicularly oriented in the same manner as the first and second casing portions recited in Claim 2.

Nor are those recessed areas oriented relative to one another such that the open ends of the recessed areas face in directions perpendicular to one another as recited in new independent Claim 8. Indeed, the recessed areas on either side of the housing 12 shown in *Rogers, Jr. et al.* are oriented parallel to one another and the open ends of the recessed areas face in directions parallel to one another.

Although not entirely clear, the Official Action appears to indicate that the backing plate 392 shown in Figs. 8 and 9 of *Rogers, Jr. et al.* corresponds to the claimed second casing portion and the vehicle door 220 corresponds to the claimed second cover.

However, the backing plate 392 shown in *Rogers, Jr. et al.* does not have an open end closed by the door 220. In addition, the backing plate 392 and door 220 do not define a space.

For at least the foregoing reasons, the claimed vehicle door lock system recited in Claims 2 and 8 is patentably distinguishable over the disclosure contained in *Rogers, Jr. et al.*

New dependent Claims 5-7 and 9-11 are also presented for consideration. By way of example, new dependent Claims 5 and 9 define that the electric driving source is disposed at the upper portion of the housing such as illustrated in Fig. 8 of the present application. Such a construction is different from the disclosure contained in *Rogers, Jr. et al.* as can be seen from Figs. 8 and 9 illustrating the location of the motor 310.

Also, new Claims 7 and 11 recite that the latch mechanism is accommodated in a space between the second cover and a base plate that is secured to the open end of the

second cover. Once again, such a construction is not embodied in the closure latch described in *Rogers, Jr. et al.*

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Matthew L. Schneider
Matthew L. Schneider
Registration No. 32,814

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: July 23, 2002

Attachment to Amendment dated July 29, 2002

Mark-up of Claims 2 and 4

2. (Amended) A door lock system for a vehicle [according to claim 1, wherein]
comprising:

a latch mechanism adapted to a vehicle door and latching the vehicle door to a
vehicle body;

a link mechanism including an electric driving source and a plurality of lever
members for selectively locking and unlocking the latch mechanism;

a housing accommodating the latch mechanism and the link mechanism;

the housing including a first cover, a second cover and a main body having a
first dish-shaped casing portion and a second dish-shaped casing portion, the first casing
portion including an opening, closed by the first cover, at one side thereof, the second
casing portion connected to the first casing portion and perpendicular to each other, the
second casing portion including an opening, closed by the second cover, at one side
thereof, and

[wherein] each of the lever members of the link mechanism [is] being disposed
within at least one of a) a first space defined between the first casing portion and the first
cover and b) a second space defined between the second casing portion and the second
cover.

Attachment to Amendment dated July 29, 2002

Mark-up of Claims 2 and 4

4. (Amended) A door lock system for a vehicle according to claim 3, wherein
one of the [part of the] lever members of the link mechanism includes an open
link coupled to the electric driving source to selectively lock and unlock engagement of the
latch mechanism; and
another of the [other] lever members includes a lifting lever coupled to the
latch mechanism for being engagable and disengagable with the open link. [member.]